

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 952 OF 2004

Smt. Sohanviri

....Petitioner.

Versus

Collector, Haridwar and Others.

....Respondents.

HON'BLE RAJESH TANDON J.

Heard Sri Pramod Tiwari counsel for the petitioner.

By the present Writ Petition, the petitioner has prayed for a writ of certiorari quashing the order dated 26th August, 2004 passed by the respondent no. 1 in Case No. 16 of 2004. As will appear from the impugned order dated 26th August 2004 that only show cause notice has been sent to the Pradhan.

Petitioner is permitted to file the reply in pursuance of the show cause notice. After filing the reply the proceedings under Section 95 (1) (G) of the Panchayat Raj Act, shall be decided in accordance with the provisions of the U.P. Pnachayat Raj Act. Petitioner has annexed the order dated 26th August, 2004 and the inquiry report has also been filed. The petitioner will participate in the proceedings in pursuance of the show cause notice and shall file the reply, which shall be suitably dispose of by the Collector Hardwar.

However, the order dated 26th August, 2004 shall remain in abeyance for period of 2 months.

The Collector shall pass the order after hearing the petitioner and spot inspection shall also be made.

Subject to the aforesaid observation, this petition is disposed of.

12.10.2004

(RAJESH TANDON J.)

P.S. Rathour

03.11.2004

(RAJESH TANDON, J.)

P.S.R.